

## Calendar No. 82

105TH CONGRESS }  
1st Session }

SENATE

{ REPORT  
105-27

### ELECTRIC AND MAGNETIC FIELDS RESEARCH PROGRAM

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JUNE 12, 1997.—Ordered to be printed

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Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, submitted the following

### REPORT

[To accompany H.R. 363]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 363) to amend section 2118 of the Energy Policy Act of 1992 to extend the Electric and Magnetic Fields Research and Public Information Dissemination program, having considered the same, reports favorably thereon without amendment, and recommends that the Act do pass.

#### PURPOSE OF THE MEASURE

H.R. 363 would amend section 2118 of the Energy Policy Act of 1992 to extend the Electric and Magnetic Fields Research and Public Information Dissemination (EMF-RAPID) program.

#### BACKGROUND

Electric and magnetic fields (EMFs) are generated by electric current moving through wires or electrically powered devices. Every modern household contains wiring and electric appliances that produce EMFs.

Beginning in the late 1970s, some epidemiologists suggested a relationship between elevated levels of certain cancers and the EMFs produced by the generation, transmission and use of electrical power. Other studies found no such link. Nonetheless, enough studies showed statistical links between EMFs and various forms of cancer to cause widespread public concern.

In response to public concern, Congress set up the EMF-RAPID program in 1992. Section 2118 of the Energy Policy Act of 1992 (EPAAct) authorized the EMF-RAPID program to 1) coordinate and carry out a limited research program to fill information gaps con-

cerning the potential health effects of exposure to EMFs; 2) to achieve the kind of credibility with the public that previous research had not yet earned; and 3) to establish a process of consultation between federal agencies that would allow them to speak with one voice when communicating with the public about possible EMF effects. Funding for the EMF-RAPID program is evenly split between Federal and non-Federal sources. Non-Federal contributors include the American Public Power Association, Edison Electric Institute, Electric Power Research Institute, Empire State Electric Energy Research Corporation, National Association of Realtors, National Electrical Manufacturers Association, and the National Rural Electric Cooperative Association.

The EMF-RAPID program was originally authorized at \$65 million (including the non-Federal share). To date, a Federal share of \$19 million has been appropriated and \$19 million has been provided by non-Federal contributions. A final \$4 million Federal appropriation is requested in the President's FY 1998 budget request. When matched with the final \$4 million non-Federal share, the total program cost (if the final year is authorized and the final \$4 million is appropriated) will be \$46 million. H.R. 363 lowers the total program authorization to \$46 million.

#### NEED FOR THE LEGISLATION

Because EPAct was enacted after the completion of the FY 1993 appropriations cycle, the EMF-RAPID program did not receive funding until FY 1994. Since the authorization expires on December 31, 1997, the program will terminate after four years instead of the five years originally envisioned. Without a one year extension, the Department of Energy and the National Institutes of Environmental Health Sciences (NIEHS) will have to truncate the program, jeopardizing the program elements (the concluding public workshops and risk assessment) necessary to ensure the credibility and public acceptance of the program's findings.

A 1996 report prepared by the National Academy of Science's National Research Council reviewed EMF studies completed through 1994, but did not include any of the research funded by the RAPID program. The report stated that the RAPID program "is an important part of the research strategy for resolving the issues related to the possible biologic effects of magnetic-field exposure."

#### LEGISLATIVE HISTORY

H.R. 363 was introduced in the House of Representatives on January 7, 1997. The measure was referred to the House Committee on Commerce, and the House Committee on Science. On April 21, 1997, H.R. 363 was reported to the House by both Committees, with amendments. On April 29, 1997, the measure passed the House by a roll call vote of 387-35.

H.R. 363 was received in the Senate and read twice and referred to the Committee on Energy and Natural Resources on April 30, 1997. On May 19, 1997, hearings were held in the Subcommittee on Energy Research, Development, Production and Regulation.

A markup was held June 11, 1997 on H.R. 363, at which time the Committee ordered the bill reported with a favorable recommendation.

#### COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on June 11, 1997, by unanimous vote of a quorum present recommends that the Senate pass H.R. 363 without amendment.

The rollcall vote on reporting the measure was 20 yeas, no nays as follows:

YEAS	NAYS
Mr. Murkowski	
Mr. Domenici	
Mr. Nickles	
Mr. Craig	
Mr. Campbell	
Mr. Thomas	
Mr. Kyl	
Mr. Grams	
Mr. Smith	
Mr. Gorton	
Mr. Burns <sup>1</sup>	
Mr. Bumpers	
Mr. Ford	
Mr. Bingaman <sup>1</sup>	
Mr. Akaka <sup>1</sup>	
Mr. Dorgan <sup>1</sup>	
Mr. Graham <sup>1</sup>	
Mr. Wyden	
Mr. Johnson <sup>1</sup>	
Mrs. Landrieu	

<sup>1</sup> Indicates voted by proxy.

#### COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the report is available, the Chairman will request it to be printed in the CONGRESSIONAL RECORD for the advice of the Senate.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 363.

This bill simply extends an existing, cost-shared research and public information program for a period of one year. Thus, it is not a regulatory measure in the sense of imposing Government established standards of significant economic responsibilities on private individuals and businesses. No personal information would be collected in administering the program. Therefore, there would be no

impact on personal privacy. Little if any additional paperwork would result from the enactment of H.R. 363.

#### CHANCES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the Act H.R. 363, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

### SECTION 2118 OF THE ENERGY POLICY ACT OF 1992

#### SEC. 2118. ELECTRIC AND MAGNETIC FIELDS RESEARCH AND PUBLIC INFORMATION DISSEMINATION PROGRAM.

(a) \* \* \*

\* \* \* \* \*

(c) ROLE OF THE DIRECTOR.—

(1) \* \* \*

\* \* \* \* \*

(5) REPORT.—The Director shall report, by June 1, 1995, and by March 31, **[1997]** 1998, and as appropriate, to the Interagency Committee established under subsection (d) and to Congress the findings and conclusions of the Director on the extent to which exposure to electric and magnetic fields produced by the generation, transmission, or use of electric energy affects human health.

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(e) ADVISORY COMMITTEE.—

(1) \* \* \*

\* \* \* \* \*

(5) The advisory Committee shall terminate not later than December 31, **[1997]** 1998.

\* \* \* \* \*

(g) REPORTS.—

(1) \* \* \*

\* \* \* \* \*

(3) REPORT TO CONGRESS.—The Interagency Committee, in consultation with the Advisory Committee, shall submit to the Secretary and the Congress—

(A) \* \* \*

(B) not later than September 30, **[1997]** 1998, a final report stating the Committee's findings and conclusions on the effects, if any, of electric and magnetic fields on human health and remedial actions, if any, that may be needed to minimize and such health effects.

\* \* \* \* \*

(j) AUTHORIZATION OF APPROPRIATIONS.—

(1) GENERAL AUTHORIZATION.—There are authorized to be appropriated to the Secretary a total of **[\$65,000,000]** \$46,000,000 for the period encompassing fiscal years 1993

through **1997** *1998* to carry out the provisions of this section, except that not more than \$1,000,000 may be expended in any such fiscal year for activities under subsection (b)(1). Any amounts appropriated pursuant to this paragraph shall remain available until expended.

\* \* \* \* \*

(1) SUNSET PROVISION.—All authority under this section shall expire on December 31, **1997** *1998*.

